

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Adopted Rules of the Board  
of Water and Soil Resources Governing  
Erosion Control and Water Management and  
the Reinvest in Minnesota Reserve Programs,  
Minn. R. 8400.0050 to 8400.3930

**REPORT OF THE CHIEF  
ADMINISTRATIVE LAW JUDGE**

This matter came before the Chief Administrative Law Judge pursuant to the provisions of Minnesota Rules, part 1400.2300, subpart 6. Based upon a review of the record in this proceeding, the Chief Administrative Law Judge hereby approves the Report of the Administrative Law Judge, dated December 14, 2012, in all respects.

In order to correct the defects enumerated by the Administrative Law Judge in the attached Report, the agency shall: (1) within the 30-day resubmission period, notify all persons and entities who requested a hearing of their right to provide additional comment relating to the withdrawal within five (5) working days; and (2) correct the substantive defects described in the Report.

If the agency re-notifies the parties who requested a hearing of their right to provide additional comment; and if the agency makes the other changes to correct the substantive defects in the proposed rules, the agency shall submit to the Chief Administrative Law Judge: (1) a copy of the additional withdrawal notice served on all parties who requested a hearing, as well as proof of service of the same; (2) copies of all comments received as a result of that additional notice; (3) a copy of the rules as originally published in the State Register; (4) the agency's order adopting the rules; and (5) the rules showing the agency's changes. The Chief Administrative Law Judge will then make a determination as to whether the procedural and substantive defects have been corrected, and whether the modifications to the rules make them substantially different than originally proposed.

Dated: December 21, 2012

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RAYMOND R. KRAUSE  
Chief Administrative Law Judge